

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
2003 DEC 10 P 4:42

IN RE PHARMACEUTICAL INDUSTRY)	U.S. DISTRICT COURT
AVERAGE WHOLESALE PRICE)	DISTRICT OF MASS.
LITIGATION)	MDL No. 1456
)	C.A. No. 01-CV-12257-PBS
)	
)	
THIS DOCUMENT RELATES TO)	
ALL ACTIONS)	
)	

**ASSENTED-TO MOTION OF DEFENDANT
AMGEN INC. FOR LEAVE TO FILE REPLY BRIEF**

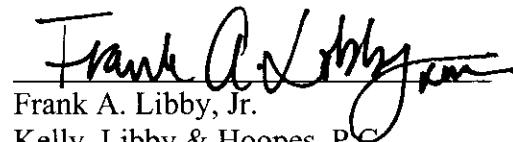
Pursuant to Local Rule 7.1(B)(3), Defendant Amgen Inc. ("Amgen") hereby requests leave to file a reply to Plaintiffs' Opposition to Amgen's pending Motion for a Continued Limited Stay of Discovery. In support of this motion, Amgen states as follows:

1. On December 1, 2003, Amgen filed a Motion for a Continued Limited Stay of Discovery Pending Ruling on its Individual Motion to Dismiss the AMCC. Plaintiffs filed a memorandum in opposition to this motion on December 4, 2003.
2. Amgen now seeks leave to file a Reply Brief in support of its Motion to Continue Discovery. Plaintiffs' opposition sets forth issues and arguments that were not addressed in Amgen's moving papers. Amgen's reply memorandum is intended to help narrow the issues and better inform the Court of the parties' respective positions.
3. Plaintiffs have assented to this motion.

WHEREFORE, Defendant Amgen Inc. respectfully moves that this Honorable Court grant it leave to file a reply brief to Plaintiffs' Opposition to Amgen's Motion for a Continued Limited Stay of Discovery.

Respectfully submitted,
DEFENDANT AMGEN, INC.,

By its attorneys,

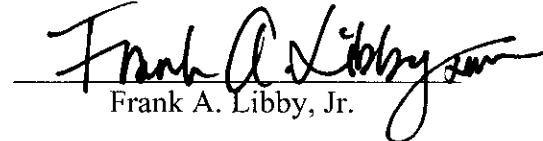

Frank A. Libby, Jr.
Kelly, Libby & Hoopes, P.C.
175 Federal Street, 14th Floor
Boston, Massachusetts 02110
Telephone: (617) 338-9300
Facsimile: (617) 338-9911

Joseph H. Young
Steven F. Barley
Hogan & Hartson L.L.P.
111 S. Calvert St., Suite 1600
Baltimore, Maryland 21202
Telephone: (410) 659-2700
Facsimile: (410) 539-6981

December 10, 2003

CERTIFICATE OF SERVICE

I, Frank A. Libby, Jr., counsel for Defendant Amgen, Inc., in the above-captioned matter, hereby certify that I have this date caused a true and accurate copy of the foregoing document to be served upon all counsel of record.


Frank A. Libby, Jr.

KELLY
LIBBY &
HOOPES

FILED
CLERKS OFFICE

LISA M. ASIAF

Email: lasiaf@klhboston.com

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U.S. DISTRICT COURT
DISTRICT OF MASS.

December 10, 2003

BY HAND

Maria Simeone
Docket Clerk, Judge Patti B. Saris
Clerk's Office
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

**Re: Citizens for Consumer Justice, et al v. Abbott Laboratories, et al.,
Civil Action No. 01-cv-12257 PBS (D. Mass.); MDL No. 1456**

Dear Ms. Simeone:

Enclosed for filing in the above-referenced matter on behalf of Defendant Amgen, Inc., please find:

- (1) Assented-To Motion of Defendant Amgen Inc. for Leave to File Reply Brief; and
- (2) Defendant Amgen, Inc.'s Reply Memorandum in Further Support of Its Motion for a Continued Limited Stay of Discovery.

Please call us at (617) 338-9300 if you have any questions or concerns. Thank you very much for your time and assistance.

Sincerely,



Lisa M. Asiaf

LMA/
Enclosure
cc: Counsel of record